

SENTENCING MINUTES

Date: 09/01/2016
Time: 10:52AM-11:29AM (00:37)

Judge: JAMES C. CACHERIS
Reporter: Julie Egal
Courtroom Deputy: Margaret Pham

UNITED STATES of AMERICA
V.

Case Number: 1:14-CR-00213-JCC-1

MARCEL LEHEL LAZAR

Counsel/Deft: SHANNON QUILL and CADENCE MERTZ

Counsel/Govt: PETER V. ROMAN, RYAN K. DICKEY, MAYA D. SONG

Russian Interpreter: Not Requested

Court adopts PSI () without exceptions (**X**) with exceptions as noted:

- Defense requests a variance sentence of 36 months total and asks the Court to take into account sentence defendant has received in Romania
- Government requests high end g/l range of 24-30 months, notes criminal history category I substantially under represents conduct and it is appropriate to depart upward II or III criminal history points; Restitution Order \$1,300.00
- The Court grants government's objection and motion for upward departure

SENTENCING GUIDELINES:

Court departs from Guidelines pursuant to:

Offense Level: 16

Criminal History: I → II

Imprisonment Range: Count 5: 21 to 27 months / Count 7: 2 years (consecutive) → 24 to 30 months

Probation Range: Ineligible

Supervised Release Range: Count 5: 1 to 3 years / Count 7: 1 year

Fine Range: \$5,000.00 to \$50,000.00

Restitution: \$1,300.00

Special Assessment: \$200.00 (\$100.00 as to each count)

[] USSG 5K1.1

[] USSG 5K2.12

[] USSG 5C1.2

JUDGMENT OF THE COURT:

[X] BOP: Count 5: 28 months / Count 7: 24 months / Consecutive w/ CFTS / 52 months total

[X] Supervised Release: Count 5: 3 years / Count 7: 1 year / Consecutive / 3 years total

[] Supervised Probation:

[X] Restitution: \$1,300.00 interest waived - \$100.00/mo. 60 days after release

[X] Order of Forfeiture

[X] Special Assessment: \$200.00 (\$100.00 as to each count)

[X] No Fine

SPECIAL CONDITIONS:

1. As a condition of supervised release, upon completion of his Term of imprisonment, the defendant is to be surrendered to a duly-authorized immigration official of the Department of Homeland Security United States Immigration and Customs Enforcement for a deportation review in accordance with established procedures provided by the Immigration and Naturalization Act, 8 U.S.C. 1101 et seq. As a further condition of supervised release, if ordered deported, the defendant shall remain outside the United States.

2. The defendant shall apply all monies received from income tax refunds, lottery winnings, inheritances, judgments, and any anticipated or unexpected financial gains, to the outstanding court-ordered financial obligation, or in a lesser amount to be determined by the court, upon the recommendation of the probation officer.

3. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.

4. The defendant shall provide the probation officer access to any requested financial information.

RECOMMENDATIONS to BOP:

[] Designation at:

[] Deft. designated to facility to participate in ICC (Boot Camp) type program

[] Deft. to participate in the BOP 500 Hour Residential Drug Abuse Treatment program (RDAP).

[] Other: _____

Defendant is hereby: () Self-Surrender () Continue on Same Terms (**X**) Remanded